

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40282 of 2021

Arising Out of PS. Case No.-362 Year-2020 Thana- RAMPUR District- Gaya

1. Vijay Yadav @ Vijay Kumar S/o Late Sadhu Yadav R/o Village- Laxmi Nagar Road No.2, Jail Road, P.S.- Rampur, District- Gaya.
2. Jitendra Kumar S/o Vijay Yadav @ Vijay Kumar Resident of Village- Laxmi Nagar Road, No.2, Jail Road, P.S.- Rampur, District- Gaya.
3. Satendra Kumar S/o Vijay Yadav @ Vijay Kumar Resident of Village- Laxmi Nagar Road No.2, Jail Road, P.S.- Rampur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiva Shankar Sharma
For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-03-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in Rampur P.S.
Case No.362 of 2020, registered for the offences punishable under
Sections 147, 148, 341, 323, 354(D) and 506 of the Indian Penal
Code and Sections 3/4 of the Witch Craft Act.

The petitioners are said to have entered into the house
of the informant and assaulted her. Vijay Yadav assaulted the
informant on her head. Jitendra Kumar and Satendra Kumar tried
to outrage the modesty of the informant.

Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in the



present case. It is submitted that no case is made out against the petitioners. The occurrence took place on 25.11.2020 and the FIR was lodged on 02.12.2020 after delay of seven days without any explanation. It is further submitted that there is case and counter case between the parties. It is also submitted that the husband of the informant and petitioner no.1 are own brothers. The injuries are simple in nature.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioners.

Taking into consideration the fact that the FIR was lodged after delay of seven days without any explanation, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Gaya in connection with Rampur P.S. Case No.362 of 2020, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J.)

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